

OCT 16 2006

Application No.: 09/486981

Docket No.: NIW-009USRCE2

REMARKS

Claims 1-4, 12-19 and 28-31 are pending in the application. No claims are amended, thus claims 1-4, 12-19 and 28-31 will remain pending.

Claims 1-4, 12-19 and 28-31 have been rejected under 35 U.S.C. §102(b) as being anticipated by Kaiho *et al.* (JP 05170687; hereinafter "Kaiho").

The present invention provides a molecular compound prepared by reacting a phenol derivative *having a sulfonyl or carbonyl group at a position ortho to the hydroxyl group* with a substance which forms a molecular compound (see, *e.g.*, the present invention at pages 276 and 277). The molecular compound can be, for example, a hydrate, solvate, adduct or clathrate.

In contrast, Kaiho provides a diphenyl hydrocarbon derivative as an active component of a thrombolysis inhibitor. Kaiho does not teach a diphenyl hydrocarbon derivative which is required to have *a sulfonyl or carbonyl group at a position ortho to the hydroxyl group*. Moreover, Kaiho does not teach or suggest a hydrate, solvate, adduct or clathrate of such a diphenyl hydrocarbon derivative. Accordingly, the molecular compounds of the present invention are not anticipated by Kaiho.

In view of the foregoing, Applicants respectfully request withdrawal of the rejection of claims 1-4, 12-19 and 28-31 under 35 U.S.C. §102(b) and reconsideration of the claims.

Claims 1-4, 12-19 and 28-31 have also been rejected under 35 U.S.C. §102(b) as being anticipated by Elsaesser *et al.* (EP 0668540; US 05170687; hereinafter "Elsaesser").

Applicants respectfully reiterate that the present invention provides a molecular compound prepared by reacting a phenol derivative *having a sulfonyl or carbonyl group at a position ortho to the hydroxyl group* with a substance which forms a molecular compound. The molecular compound can be, for example, a hydrate, solvate, adduct or clathrate.

In contrast, Elsaesser provides a positive working recording material which includes a phenolic additive of, *e.g.*, Formula II or Formula III and a phenolic/formaldehyde novolak resin as a binder. The phenolic additive and binder are added to the radiation-sensitive material to

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ensure that the radiation sensitive material forms a uniform layer and to promote rapid development in weakly alkaline developers. Elsaesser does not teach a diphenyl hydrocarbon derivative which is required to have *a sulfonyl or carbonyl group at a position ortho to the hydroxyl group*. Moreover, Elsaesser does not teach or suggest a hydrate, solvate, adduct or clathrate of such a diphenyl hydrocarbon derivative. Accordingly, the molecular compounds of the present invention are not anticipated by Elsaesser.

In view of the foregoing, Applicants respectfully request withdrawal of the rejection of claims 1-4, 12-19 and 28-31 under 35 U.S.C. §102(b) and reconsideration of the claims.

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CONCLUSION

In view of the above remarks, Applicants believe the pending application is in condition for allowance. The Examiner is invited to contact the undersigned with any questions or comments with regard to the present application.

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Respectfully submitted,

By 

Danielle L. Herritt

Registration No.: 43,670

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant